A GREAT MESSAGE.

Governor Atkinson's Recommen-

dations to the Legislature.

A VERY ABLE STATE PAPER

Setting Forth the Condition of the

State's Institutions and Suggesting

Improvements - The Common-

wealth is Highly Prosperous with a

Brilliant Outlook for the Future-A

Pardon Board Recommended.

Likewise a State Commissioner of

Revenue-Distribution of the Irre-

ducible School Fund Advised.

Many Matters of Interest Discussed.

CHARLESTON, W. Va., Jan. 11.

Governor Atkinson's message, sent to

Gentlemen of the Senate and House of

The constitution of the state of West

Virginia makes it incumbent upon me.

as 'the chief executive, to submit for

your consideration a careful statement

of the financial affairs and other opera-

tions of the state government, to-

gether with such recommendations for

the future government and welfare of

the state, as may be justified by exist-

It is very gratifying to me to be able

to assure you that the state is rapidly

developing, and that the people in sur-

rounding commonwealths are coming

within our borders to avail themselves of the wonderful advantages with

which a beneficent Providence has lav-

ship endowed us. In coal, oil gas and timber. West Virginia is easily the

a number of years we have held first place in the production of oil and gas,

second place in coke, and last year we

forged ahead of our sister state of Ohio, and took third place in the output of

coal. Having upwards of nine million

be seen that we must be given first rank

as to timber resources. It is only within a few years past that West Vir-

ginia began, in real carnest, to open up her marvelous natural resources, and I hazard nothing when I say that it is

her to reach the forefront in wealth and enterprise among all the states, In these years of drive and push and enterprise and close competition, the contest for success, in all business un-

contest for success, in all business undertakings must ultimately narrow down to the survival of the fittest. The state that has the general investment of flutural resources and advantages in the raw muterials, which are the base of all that go to make wealth, is the one that will, of necessity, win out in the end. We have double, or more, coal area than Pennsylvania, which is now our only actual competitor in the pre-

area than Pennsylvania, which is now our only actual competitor in the production of the "dusky diamond" that is greater in value than the gems of Golconds or the sparking jewels of South Africa or Peru; therefore it will take but a few years for our state to supplant Pennsylvania in the production of coal. The best quality of any article which can be purchased in sufficient quantities, will necessarily be in constant demand. We not only have the best quality of all coals and coke in the republic, but we have a greater area of acreage; how, then, can we fail to take first place? This is true also of oil, timber land gas. I conclude, therefore, that our future as a state is a bright one, not our population has gone beyond the million mark and words.

harbinger of what is yet to come.

Our population has gone beyond the million mark, and people from other states are coming to us rapidly. Our public schools are of a high order, and our laws are properly and vigorously, enforced. Taxes in West Virginia are not excessive—therefore the advantages we are offering the people to come among us can not be surpassed by any other state.

We have one advantage over every, cher state in the republic, and that is, we have no state debt, nor can we, under our present constitution, ever create one. This is worthy of the thoughtful consideration of every business man who has money to invest.

FINANCIAL SITUATION.

For a detailed condition of our finan-

cial affairs for the past two years, I respectfully refer you to the blennial

reports of the auditor and treasurer.

These reports are full and complete,

and give, with cacfulness, every item of

At the close of the fiscal year which ended October 31, 1898, the balances in

the treasury to the credits of the dif-ferent funds were as follows:

State Fund. \$ 424,641 17 General School Fund. 267,026 10 School Fund (Invested). 271,193 21

Total balance\$1,062,860 48

receitp and expenditure.

ing circumstances.

the legislature to-day, is as follows.

Have Organized

WITHOUT UNTOWARD INCIDENT.

Via and Brohard Were on Secretary Dawson's List.

HOUSE MEMBERS-ELECT

And Were Sworn in-Notices of Con test, However, Were Filed, and there is Little Doubt but What they, Eventually, will be Unscated-The Republican Majority of five on Joint Ballot, it is Believed, will Stand Intact-The Senatorial Situation Wheeling Workingmen to Commissioner Scott's Labor Record.

Special Dispatch to the Intelligencer.

CHARLESTON, W. Va., Jan. 11.— Both houses of the legislature met at noon to-day, and organized according to these programme, just as the dispatches predicted last night. The Republicans organized the senate with eight majority, and the Democrats or-ganized the house with three majority, the officers selected at the party caucases last night being daly elected and
sworn in. The feature in the house was
that Brohard. Republican, of Taylor
county, and Via, Republican, of Monroe county, both under contest, were
listed by Secretary of State Dawson
and gives seats by the Republican temporary organization, against the formal protest of the Democratic side, entered by Mr. Davis, of Harrison county,
and Major E. A. Bennett, of Huntington. This protest is of course on record. There is little doubt that the two
men will be unseated as the result of
the contest by the Democrate majority.
Whether any further effort to unseat
Republicans will be made is yet to be
seen. Other contests will undoubtedly
come up, and hercin lies a possibility.

Republican Majority of Five.

It is known that in the semate there the officers selected at the party cau

It is known that in the senate there are several who are opposed to a genare several who are opposed to a general unseating policy. Their position is logical viewed from their own standpoint of a bare possibility that some of their own titles to certificates might be found weak in some places in the event of a thorough investigation by a Republican senate. It is mafe to predict, however, that the Republican majority of five on joint ballot will more than likely stand intact.

Leading Democrats willingly concede that it cannot be wiped out altogether, and there is more interest taken in the senatorial situation on the Republican side in consequence than is felt in the Democratic situation. The chief interest in the latter lies in the central figure, Col. McGraw, who, except body believes, is building about himself an invincible position—for the Democratic leadership for two years hence.

In the senate the organization was effected in the same manner as in the house. Democrate entering protests against the titles of the two war senators, Getzendanner and Pierson. This will make a contest in behalf of the two men elected by the Demorals of the district without authority.

The Pleasing Feature.

The pleasing feature of the organiza-tion of both houses was that it was all tion of both houses was that it was all done peacefully, and there was no sign whatever of any army or navy, no violence, nobody standing around armed to the teeth, and an entire absence of the sort of trouble that has been so freely predicted by certain Democratic organs that spent weeks endeavering to influence the nublic mind and make it influence the nublic mind and make it in the second of the turned into a regular military camp. If these editors could observe the courteous and really good personal feeling existing between Democrats and Republicans here, though each side is ready to contest to the last within bounds for the disputed seats, they would realize how uniruthful they were and how fruitless their efforts have been.

een.
In another dispatch I have given the situation in the senatorial matter as fairly as it is possible to do so. It is the exact situation as it is seen here to-night. As to the contests over disputed seats, they are yet to come. Speaker, McKinney, of the house, made a brief but conservative speech on his acceptance of the chair, and it must be admitted it had a good effect. If only the majority of the house will stick to the principles he laid down there will not be any revolutionary business.

Republicans Wide Awake.

But the Republicans are wide awake. The organization is perfect, and for much of the splendid work executed the credit is due to Secretary White, of the

credit is due to Secretary White, of the state committee, who has labored incessantly. Others have done their share, and done it well. As soon as the crisis of the contest; is past will come the legislative business. Committees will be named at once, and the real work will at least be inaugurated.

The message of the governor was received by the senate, but was not taken up by the house, as the organization for business there will not be completed until to-morrow's session. The message, however, is now public property.

It is favorably commented on here for the completeness with which it covers the record of West Virginia for the past two years, governmentally and Inpast two years, governmentally and in dustrially, educationally, commercially and in all other respects. To-morrov promises to be an eventful day. There are no late developments to-night.

G. A. D.

SENATORIAL SITUATION

Clearing up Somewhat-McGraw Still in Command-Republican Cancus Monday-Workingmen's Testimoninl to Commissioner Scott.

Special Dispatch to the Intelligencer CHARLESTON, W. Va., Jan. 11,-The situation in regard to the United States senatorship in both political parties is clearing up some, and to-night matters are not in so chaotic a condition as they have been. Colonel McGraw continues to hold the string that controls the Democratic situation, notwithstanding the opposition to him from the source the Intelligencer has already referred From the Democratic standpoint McGraw has proven himself a strong leader. He is tenacious, shrewd and never tiring. His headquarters are swarmed night and day and the indi-vidual who gets a two minute interview with him is a genine Tour interview vidual who gets a two minute interview with him is a genius. But there are elements in the situation which devel-

No date has yet been set for the Democratic caucus.
On the Republican side the atmosphere materially cleared to-night when the leading candidates; agreed upon a date for the caucus to chose a candidate for the senate and the form of the call. It is now being circulated for the signatures of members of the senate and house. It simply provides that a caucus of all Republican senators and delegates will be held Monday evening to choose a candidate for United States senator. It may require a day or two to get all the signatures and the call will not be posted until this is done. The purpose is to have this matter, so far as Republicans are concerned, settled as soon as possible, so as to eliminate the question as a factor and place the party in the legislature in a position to harmoniously and unitedly attend to the important mattern of legislation and other matters that call for united action.

Central Scenes of Activity.

The headquarters of Mr. Scott, at the

The headquarters of Mr. Scott, at the Ruffner, and of Governor Atkinson, are Clearing Somewhat-Testimonial of the central scenes of activity. Thes

the central scenes of activity. These gentlemen are on good terms, as are all the candidates, in fact. Governor Atkinson's office is thronged also with visitors and he keeps up a cheerful mein. None of the candidates give out any figures, all claiming good progress. The caucus will settle the matter. Incidental to the senatorial matter it is well to state right here that in the election of the presidency of the senate election of the presidency of the senate senatorship, as our Democratic friends

there was no significance bearing on the senate there was no significance bearing on the senatorship, as our Democratic friends are pleased to think. Mr. Marshall himself authorizes me to say this, and I explained last night Mr. Whitaker's reasons for declining to permit the use of his name. In connection with this subject also is a testimonial received here to-night by Delegate Connelly, of Ohlo county, refuting the statements contained in the petition which was circulated by certain parties in Wheeling and which has been already referred to in the pressing interest of the pressure of the property of the pressure ans and Democrats alike.

Testinonial of Glassworkers

The testimonial is that of a number of glass workers formerly employed in period that Mr. Scott was general man

lated against him tending to show that during that time Hon, N. B. Scott as such manager was tyrannical and opposed to organized labor, they feel in duty bound, as a matter of right to refute such statements.

The reason for such reports is appurent to those who know Mr. Scott, and of his candidacy at that time for United States senator.

The testimonial declares that the signers have no interest whatever in the election of Mr. Scott, but as workmen in the factory of which he had control, and being in a position to state hopestly, and of their own knowledge, what Mr. Scott's true position with reference to labor, was, they have determined to give their expressions at a time when he was not a candidate but an employer of labor.

"During a period of twenty years while, Mr. Scott was manager of the Central glass works at Wheeling, the subscribers were not only workmen, but acted in the capacity of interpreter, that is presented the side of the workmen in disputed questions that might arise between the company and the men. We

disputed questions that might arise between the company and the men. We always found Mr. Scott courteous and willing to listen respectfully to our side of a controversy, end he never gave us any cause for complaint for harsh treatment. At no time while Hon. N. B. Scott was manager of the Central glass works was there employed in that factory any non-union labor: but on the contrary good wages, paid regularly, prevailed.

A High Compilment

The only cause of complaint among glass workers whom we have heard ex press themselves about Mr. Scott is the regret that other business and pursuits called his attention away from the glass business into other fields of usefulness, depriving it in this locality of one of the most energetic and intelligent mangers."
The testimonial concludes with the

agers.

The testimonial concludes with the assertion that the workmen have no interest, direct or remote, in Mr. Scott's election, but only desire to correct any false impression that might be made by the circulation of a scurritious article that would be smirch a man above reproach. The testimonial is signed by the following factory committeemen, the number of years employed following each name. Robert Pekarl, 29; Martin Bumbaugh, 2; F. T. Wood, 22; Benj. Vall, 28; Henry Wertzbacher, 27; C. Wertzbacker, 25; John Cochran, 22; E. M. MeEntee, 26; Ed. Chapman, 15; Dan Donovan, 22.

Donovan, 23.

The first seven have been at various times secreatres of the glass workers union and members of the factory committee from periods ranging from one to ten years each. The testimonial is sworn to by Clerk C. H. Handing in the control of the control

to ten years each. The testimonial is sworn to by Clerk C. H. Henning, of the circuit court of Ohio county.

To-night everything is quiet and everybody seems to be in a good humor, but, the contests in both houses are yet to come.

G. A. D.

THE LEGISLATURE.

Both Houses Organize-Via and Bro hard Sworn in, but Notices of Contest Were Filed by the Democrats Take their Scats. Special Dispatch to the Intelligencer,

CHARLESTON, W. Va., Jan. 11.— When the house of delegates assembled to-day the interest of the public in the opening proceedings was manifested long before the time appointed for the gavel to fall at 12 o'clock. The gal-lery was packed to its fullest capacity, and outside the railing on the floor the spectators were crowded to the wall like

sardines in a box.

At 12:05 the house was called to order, Delegate Byrd Hill. Republican, was called to the chair, being the oldest member in point of service, as the law provides. Rev. M. F. Templeton, of the Methodist church of Charleston, opened with an eloquent prayer. Speaker protein Hill then called for any communication from the secretary of state, who appeared with the official returns of the election and the list of members and their certificates. The clerk read the list prepared by the secretary of state, which is as heretofore published, When Monroe was reached. Vla's name was read. He is the Republican whose seat is contested. The roll of members was called again and they appeared in blocks of five to be sworn in, which was done in the usual form. sardines in a box.

county, was called, Mr. Cutright, Re-publican, of Upshur county, objected to his being sworn in on the grounds that he held a lucrative office, being a major.

FAIR START MADE, op from time to time and the colonel has them to fight, as I intimated last was overruled by the speaker pro-tem. No date has yet been set for the Democratic caucus. On the Republican side the atmosphere of the last was overruled by the speaker pro-tem. Mr. Hill, and Mr. Ash was sworn in Ash is not in the volunteer service, but merely in the new national guard or ganized.

Via and Brohard Sworn in.

When Via's name was called, object tion was raised to his being sworn in by Mr. Davis, of Harrison county. He raised the point of order that Logan was the legal representative, as he held the certificate. He began to argue the cause, but the chair called him to order, as the point of order only could be made. Mr. Davis then asked that Logan's and Vla's certificate he read. The chair ruled that the house could attend to the matter later in due process. Mr. Davis repeated the demand on behalf of the majority of the house, but the chair ruled it irregular, and Mr. Via! (Republican) was sworn in. Notice was given that a protest against the chair ruling would be entered at the proper time by the Democratic side. This was virtually notice of a contest in Logan's behalf.

Objection was made from the Republican side to the swearing in of Shumate, of Summers county, on account of his holding a postoffice. The chair overruled the objection, Mr. Davis demanded that the certificate of Brohard, of Taylor county, on second He held that neither of the contestants held a legal certificate. Mr. Bennett, of Cabell, protested against the chair's position, that the secretary of state's list was the only thing to go by until the house was organized and the contests could be settled by the house. He declared that the secretary of state was not a judicial officer. Mr. Brohard was sworn in. His case is subject to contest. tion was raised to his being sworn in

After the swearing in came the per-manent organization of the house. Or behalf of the Democrats Delégate Stevens, of Wetzel county, placed in nomination Hon. O. S. McKinney, of Marion county, Delegate Schule, of Preston, nominated W. B. Cutright for the Republicans. The roll call resulted as follows: McKinney, 37; Cutright, 34. Mr. Dayls, of Harrison, objected to Mr. Brohard's being allowed to vote, and the objection was overruled, but recorded. He also protested against Via's vote, with the same result. Mr. McKinney und Mr. Cutright voted for each other, a courtesy which was appreciated by the big crowd.

On the election of Mr. McKinney being declared he was loudly applauded by the big crowd.

All the Democratic side, in which some Republicans joined. Mr. Cutright and Mr. Stevenson escorted the new sneaker to the chair, where he was greeted with applause and cheers.

On assuming the chair, Mr. McKinney behalf of the Democrats Delegate Ste-

On assuming the chair, Mr. McKinney spoke as follows:
Gentlemen—Lappreciate the honor you have pald me in selecting, me as your presiding officer, and I am not urminaful of the important duties and Se serious responsibility which are involved in executing the trust. I bespeak in advance your earnest co-operation in the work of performing in the most expeditions manner consistent with necessary deliberation the public business demanded by the interests of the state. ormanded by the interests of the state. In the performance of the duties we owe to our respective constituents there is much common ground upon which we all may stand. I hope our proceedings will be conducted in a spirit of fairness, and so far as I am personally concerned I will endeavor to treat with full and exact fustice every member of this bady and exact sustice. concarred I will endeavor to treat with full and exact fusice every member of this body and every public interest. I shall at times require your indulgence, as no matter how enruestly a presiding officer may endeavor to discharge his full duty, even in the most painstaking manner, errors of judgment are frequently likely to happen. I know that each and all of you will appreciate this, and hope that you may lend me your earnest and cordial support and assistance in transacting the business for which we are convoned. I thank you, gentlemen, for the distinction you have conferred upon me.

For clerk the Democratic nominee, W. E. R. Byrne, of Braxton, was elected by his full party vote over Capt. E. E. Hood, of Kanawha county, the Republican nominee.

Hood, of Kanawha county, the Republican nomines.
For sergeant-at-arms, J. L. Ryan, of Fayette county, Republican, was defeated by E. H. Martin, Democrat, of Webster county.
For doorkeeper, Shirley A. Mitchell, of Wirt county, Democrat, was elected over J. M. Buckley. Republican, of Wood. The votes in all cases were the same as those for the speaker. The house at 2 o'clock adjourned till to-morrow morning at 10 o'clock.

Senate Organizes.
In the other end of the capitol build-

In the other end of the capitol build-ing the senate was called to order by Clerk Harris, who called Senator N. E. Clerk Harris, who called Senator N. E. Whitaker, the oldest member in point of service, to the chair. The proceedings were opened with prayer by the Rev. Mr. Barr, of the Presbyterian church. Mr. Dawson presented the list of newly elected members of the body, who were duly sworn in.

Mr. McNeil, of Pocahonian, named O. S. Marshall, of Hancock, for president. The nomination was seconded by Mr. White.

Mr. Begyer presented the

The nomination was seconded by Mr. White.

Mr. Beaver presented the name of C. D. Dotson, of Wood, as the minority candidate. Mr. Marshall was elected by a party vote, and after being escorted to the chair made a neat speech of thanks. Before the vote was taken Senator Cornwall protested against Mr. Getzendanner occupying a scat, and a similar protest against Mr. Pearson was offered by Mr. Osenten. These protests were typewritten. Messrs. Farr and Smith argued that the matter was out of order, because the senate was not organized. The chair ruled otherwise. A motion to lay the protests on the table was carried by a strictly party vote.

Vote.
Colonel Fast nominated John T. Harris for clerk and the nomination was seconded by Mr. Cole. Mr. Osenten named Will A. Strickler. The former was elected by a vote of 17 to 9.
For cergeant-at-arms Mr. Mathews nominated C. W. Swisher, of Fairmont, and Mr. Burkhart named Mr. Trussell, of Jefferson. The former was elected and qualified.
Mr. McNell nominated C. C. Haynes, of Fayette. for doorkeeper, and Mr. Ashby nominated Henry Stephenson, who was seconded by Mr. Osenten. Mr. Haynes was elected and qualified.
Upon motion, Messrs. Baker, Sturm and White were appointed a committee to notify the governor that the senate was organized and desired to proceed to business. Colonel Fast nominated John T. Har-

A number of resolutions pertaining to pages, clerks, etc., were then offered and a few moments by p. m. to-morrow

ALL ON DECK.

A Big Crowd Swarms the Capitol After the Minor Places.

Dispatch to the Intelligence CHARLESTON, W. Va., Jan. 11. big end of the crowd is here, and it is a crowd that represents the hustlers, the seekers for places in committee rooms and elsewhere, about a dozen for each place, the gentlemen with pet measures, and a score of other varieties the newspaper man is The reporters' desk in the house to-day was surrounded at times by scores of reporters. Many met-

ropolitan papers are represented.

There was general satisfaction here to-day over the news that Senator Eikins, who was reported ill yesterday, was able to be at his desk in the senate. Mr. Eikins' secretary, Mr. Livingston, is here sizing up the situation, and expresses himself as satisfied with the Republican outlook.

A WILD APPEAL.

Beaurepaire's Inflammatory Proclamation in the Dreyfus Case-A. Palpable bid for the Support of the

Beaurepaire, whose resignation of the presidency of the civil section of the court of cassation, is regarded by impartial observers as the most dangerous development of the Dreyfus affair thus far, to-day furnished to the newspapers the most inflammatory prothe nature of a proclamation and is entitled "An appeal to the deputies," whom he calls upon vehemently to re move the Drayfus case from the hands

move the Drayfus case from the hands of the criminal chamber of the court. The proclamation concludes as follows: "Order a real and solemn inquiry, which shall penetrate right into the viscera of this torturous examination. If there are guilty men in the bosom of the criminal chamber, authorize the executive power to remove them, so that our magistracy may regain its ancient prestige.

our magistracy may regain its ancient prestige. "Remove the case from the criminal chamber to-morrow. Order an immechamber to-morrow. Order an immediate judicial inquiry. You can assuredly take other measures, as you have to accept advice from no one and your decisions will be welcomed with the confidence due those who safeguard the French cause.

French cause.
"I hope to play the modest role of those sentries who in olden days signalled from the battlements the approach of the enemy and after sounding an alarm, left it for the chiefs of the city to arm themselves in behalf of the commonwealth. Fathers forgive the commonwealth. Fathers forgive the abruptness of my appeal. It is due to the emotion which agilates me. If you do not cut the gordian knot at once I temple for my country.

tremble for my country.
"My grief is great to see the magis tracy to which I have so long belonged from the crisis. My grief is great at seeing five or six magistrates so forget-ful of our traditions as to declare them.

der. I salute them with admiration.
"I say to the soldiers that the nation al army is worthy of respect from the highest to the lowest rank and if. I have been able to gid in avenging the insult to which it has been subjected I insuit to which it has been subjected I shall not regret having puld so dearly for my independence.
"Deputies, listen to the voice of a good citizen.
(Signed.)
"M. QUESNAY DE BEAUREPAIRE."

"M. QUESNAY DE BEAUREPAIRE."
This appeal is a palpable bid for the support of the army. But M. de Beaurepaire who shot up like a skyrocket as the most tremendous sensation of the whole Dreyfus controversy, now seems falling like a rocket from his pre-eminence as a lawyer of the anti-Dreyfuscards and the possible hero of a coup. The best observers of public opinion declare that the impression created by his first remarkable denunctation of the court of cassation has been succeeded by skepticism regarding his motives and the value of his revelations.

The criminal chamber is continuing the investigation.

Will Favor Revision.

Will Favor Revision.

PARIS, Jan. 11.—The Liberte to-day quotes, "a personage closely connected with the court of cassation," as saying that the court of cassation, as saying that the inquiry into the Drayfus case is about finished, that a decision may be expected early in February and that it will be almost unanimously fa-vorable to a revision of the trial.

United Mine Workers.

PITTSBURGH, Pa., Jan. 11.-The ommittee appointed to investigate th books of the United Mine Workers of America was not ready to report when the convention opened this morning, and after a short session, during which nothing of importance was done, a re-cess was taken until 2 o'clock this after-

At the afternoon session John Fahey reported the investigating committee was handicapped by not having all the books necessary for a full investigation A number of inaccuracies were discov-ered in the report of the committee or

ered in the report of the committee of credentials.

A resolution by "Dad" Hunter, of Illinois, was adopted, giving the investigating committee unit 9 o'clock to-morrow to complete its report, with the understanding that if not ready then, the report of the credentials committee would be taken up. Adjourned.

President Can't Comply.

WASHINGTON, D. C., Jan. 11.—The President has decided it to be incompatible with the public interest to compatible with the public interest to com-ply with the request contained in the Hoar resolution to supply the scinate with the instructions given the Ameri-can peace commissioners. If any rea-sons are given for the declination, the leading one will be the fact that as the treaty is subject to action in Spain, even after ratification by the senate, its consummation might be jeopardized by the publication, at this stage, of the confidential instructions.

Dingley Slightly Improving

Greater encouragement for the recov ery of Representative Dingley is felery of Representative Dingley is felt by his physicians; to-night than for some days. This is based on the won-derful manner in which he has kept up in his deperate illness and the remark-able vitality shown. Save for new com-pilications, which are not now looked for, the family feel very hopeful that the worst is past. The patient has been fairly comfortable to-day, has taken nourishment freely and is resting well to-night.

Weston Election.

Special Dispatch to the Intelligencer, WESTON, W. Va., Jan. 11.-Dr. J. I Warder was gesterday re-elected may or of Weston, by 99 majority. The e

CLIMAX REACHED

In the Debate on the Question of Expansion.

SENATOR FORAKER'S SPEECH

In Opposition to the Declaration Senator Vest's Resolution that the United States has no Constitutional Power to Acquire Foreign Terri tory to be Maintained as Colonies A Clear and Forceful Presentation. A Runing Fire of Debate in Which Foraker Shines Brilliantly.

WASHINGTON, Jan. 11.-A climax was reached to-day in the debate on the question of expansion which is in progress in the senate. Heretofore all of the speeches, with the notable excepion of that of Mr. Platt, (Conn.), have been in opposition to what is presumed to be the policy of the administration with respect to the acquisitoin of the Philippines. To-day Mr. Foraker, (Ohio), addressed the senate in oppo sition to the declaration of the Vest resolution that the United States has to constitutional power to acquire forelen territory to be maintained as colo While much of his speech was devoted to a constitutional argument in nation to acquire and govern outlying to the utterances that have been made in contravention of that position, espec ially those of Mr. Vest and Mr. Hoar. Mr. Foraker has a clear, direct, and forceful style of oratory which commands attention, not only by reason of the recognized ability of the man, but also by his impetuosity and power as a speaker. He is at his best in a running fire of debate and the frequency of interruptions to-day afforded him ample opportunity to cluddate his argument to the best advantage. He laid down the board proposition that to adopt the Vest resolution was to declare that our father's had brought forth a nation that was inferior to all other; nations reially those of Mr. Vest and Mr. Hoar father's had brought forth a nation that was inferior to all other nations regardless of the generally accepted idea that one nation was the equal of another and all equally restricted. He maintained that the right to acquire territory was an inherent right of nationality, and that as we have the right to make war and to enter into treaty agreements, it follows logically that we have the power to acquire territory, by contest and to assume the responsibilities that may accrue therefrom. Mr. Foraker's strong assertion that the acquisition of the Philippines was temporary in character created a sensation porary in character created a sensation in the chamber. He maintained, how-ever, that we have a legal right to hold

ever, that we have a legal right to hold the islands permanently.

In beginning a discussion of the speech of Mr. Hoar, Mr. Foraker said:

"I listened, as I always do listen, to the speech of the senator from Massachusetts. It was a speech of great ability and power, such as he always delivers, but when it is reduced it amounts only to this, that the government of the United States has only the power to acquire territory for constitutional purposes and as to what those constitutional purposes are, the senator from Massachusetts shall be the sole and exclusive judge."

Stirs Up Hoar.

Stirs Up Honr.

Mr. Foraker's remarks brought Mr his position. Rising and interrupting thought it necessary for our national and if the people of that territory ob jected to our acquisition of it, I should consider the subjugation of it as a greaconsider the subjugation of it as a great national crime to be repudiated and condemned and I should say the United States would better go down beneath the waters of the Pacific in honor rather than disgrace fiself by such action."

Mr. Hoar said he did not mean to say that a great continent upon which roamed a few thousand savages having no government should be passed by or that civilization should stop at its threshold.

that divilization should stop at its threshhold.

Mr. Foraker repudiated the conclusions reached by Mr. Hoar.

"As I now understand the senator from Masachusetts." said Mr. Foraker, "the march of civilization ought not to be stopped for lack of concept. The be stopped for lack of consent. The march of the French across the dar-continent and of the British to Fashods is not then to be interrupted." Mr. Foraker maintained that the gov-crument of the United States had am-

le power to acquire territory by treaty nd he demanded to know of Mr. Hoar f he did not think terirtory so acquired

and he demanded to know of Mr. Hoar if he did not think terirtory so acquired was acquired constitutionally. "The trouble, Mr. President," continued the senator, "is that senators are talking about a theory instead of a practical condition. What have the senators who have discussed these theories proposed? Nothing, You all know the precedents of the condition we face. We had made war and its fortunes byad carried us to the Phillippines. When the end came those islands were in our possession. What was to be done. Four posibilities existed. We might return the islands to Spain, allow some other country to seize or gobble them up, the people of the islands might be left to themselves and the anarchy that existed there, or we might take possession of them. The unanimous voice of the country was opposed to the return of the islands to the tyrannical government of Spain. In many of the state conventions ringing declarations similars the hardens against the hardens of the stands of the st conventions ringing declarations against such a course were adopted and one of those was the convention of the state of the senator from Massachusetts (Mr. Hoar).

"I wrote it myself," announced Mr.

Hoar.
"Then I presume the senator is opposed to that course?" remarked Mr
Foraker, amid laughter,

Only Thing We Could Do. "The return of the islands to Spain,

resumed Mr. Foraker, "was therefore not to be considered. Were they then not to be considered. Were they then to be left to themselves? About the time this question was confronting us I saw, repeated newspaper statements from Aguinaldo and his associates among the insurgents to the effect that all the countries of Europe would be on their backs before breaktast if the United States deserted them at this juncture. We could not leave the islands at the mercy of other countries. Such a course would have been cruel. We wisely decided against both these courses. We decided to take possession ourselves—for the present at lenst, uncourses. We decided to take possession ourselves-for the present at lenst, until the people of those islands are ready and capable of self government. The assertion of the temporary character of our possession of the Philippines created a sit in the chamber. Mr. Fornker relierated it. We could desert the people of the island, he said, and subject them to the risks of disorder, antarchy, misrule and mob rule while they

might be still unfit for self-government.

"I do not understare that my one destres anything but le ultimate independence of the penn of the Philippines," said he empt flighly, "neither the President nor any one in this chamber."

plines," said he emby litially, "neither the President nor any inc in this chamber."

"But what, was our right if we chose to hold them perminently with no thought of their ultimate independence?" inquired Mr. Hoar.

"We have an unquisitioned right to do so," replied Mr. Faraker. "I speak particularly of our legil right."

Mr. Bacon. (Ga.), at this juncture asked what difference there was between our relations to Cuba and our relations to the Phillippines, why we could not deal with the latter on the same basis as the former, simply hold them now with the declared purpose of giving them self-government as soon as possible."

"The case of Cuba," replied Mr. Foraker, speaking with great deliberation, was a single one, involving only our relations with Spain and the Cubans themselves."

"In the cuse of the Phillippines there were other complications which cannot be spoken of here, but which senators will hear in executive session, which justifies the President's course in the most ample manner and vindicates most completely everything he has done. In fact, no other course is safe in view of the object we naturally sought to attain—justice not only to ourselves but to the people of those is sought to attain-justice net only to ourselves but to the people of those is

What of the statement about haul-

"What of the statement about hailing down the American flag," interjected Senator Hoar.
"No one desires to retain the Philippines indefinitely," reiterated Mr. Forsker again. "The Pres dent is as much a lover of liberty, truth and justice as is the senator from Massachusetts and his love of liberty goes out to the people of the Philippines as unerring as his."

THE PEACE PREATY

To be Reported to the Senate Favora-

bly Without An cudment, WASHINGTON, D. C. Jan. 11.—The senate committee on oreign relations to-day authorized Sent tor Davis to re-port the peace treaty is vorably without

amendment. The committee was in session for only The committee was is session for only an hour and the greater part of this time was consumed in waiting for a quorum, the senators meantime discussing informally the provisions of the treaty. There was only a bare quorum of the committee present, but Senators Cullom and Clark who were accoung the absentees, sent their proxies, Sylators Margan and Gray were the only Democrata in attendance, but the other Democratic members of the committee. Senators Daniels, Mills and Turpic had full notice of the purpose of themeet. Senators Daniels, Mills and Turple had full notice of the purpose of the meeting, and they indicated no opposition to immediate action. There was no suggestion of any amendation in committee. Senator Davis was instructed to press the treaty upon the attention of the senate with the view to securing as early action as possible. The committee also authorized Senator, Davis to report favorably upon the proposition to remove the injunction of secrecy.

PHILIPPINE AFFAIRS. Nothing Definite has Been Heard from General Otis.

WASHINGTON, D. Ca., Jan. 11.-It was said at the war department to-day that absolutely nothing had been heard touching the state of affairs there. When inquiry was made relative to a report that had been a meeting yesterreport that had been a meeting yester-day near Manila of a commission se-lected jointly by General Otis and Aguinaldo it was pointed out that un-der the large discretionary," authority conferred upon him by the department and in conformits with the President's express instructions to exhaust all peaceful means of adjusting the diffi-culty with the insurgents, General Otis had full authority to adout such a had full authority to adopt such course without asking express perm sion from the department. His course is thoroughly approved by the Presi-

Is thoroughly approved by the Presi-dent up to this point. At rather interesting question is rais-ed by the meeting of this commission as to whether it does or does not consti-tute a recognition of the insurgents, but the general opinion is that it does not, the matter being one of purely in-ternal concern with which no foreign ration has a right to interfere. Mean-while the meeting of the commission has served at least to avert the crists which seemed impending in the Philip-pines and there is now fair grounds for the supposition that the sintu quo will pines and there is now fair grounds for the supposition that the sintu que will be maintained at least until the rati-fication of the pending peace treaty. La Discussion describes the finding of fifty human skeletons in a well on a plantation near Mangulto. The writer of the story asserts that these people were undoubtedly thrown in while

HAVANA'S NEW OFFICERS.

President of the Patriotle Junta to be

Appointed Mayor.

HAVANA, Jan. 11.—Senor Perfecto
Lacoste, who was president of the Ha-Lacoste, was was president of the In-vana junta patricio, will be appointed alcalde, or mayor of Havana by Major General Luddow, military governor of the department of Havana. Senor Le-coste is a wealthy planter, popular among all classes of Cubans and a res-

among all classes of Cubans and a resident of Hayana.

The Cuban general, Mario Menocal, will be chief of police, and Colonel J. G. Evans, of the South Carolina volunteers, former governor of South Carolina, and now one of General Luddow's staff officers, will be appointed superintendent of the department of corrections, embracing the police, the minor courts and the correctional institutions. Two more suspected cases of smallpox developed in the One Hundred and Sixty-first Indiana to-day, maying three in all. The entire regiment will remain in quarantine inside the regimental camp limits. The general health of the troops is remarkably good, there being only 119 in the general hospital out of 14,600

Choate Nominated.

WASHINGTON, D. C., Jan. 11 .- The President to-day sent to the senate the name of Joseph H. Choate, of New York, to be unbassador extraordinary and minister plenipotentiary to Great Britain.

Weather Forecast for To-day. For West Virginia, threatening weather and light rain; casterly winds. For Western Pennsylvania, threatening weather; warmer; fresh east to west

vinds. For Ohio, threstening weather: warmer n northern portion; fresh casterly winds. In northern portion; ireas casterry winds,

Local Temperature.

The temperature yesterday as observed
by C. Schnepf, drugglaf, corner Market
and Fourteenth streets, was as follows: 7 n. m. 12 3 p. m.; 9 a. m. 14 7 p. m. 12 m. 27 | Weather-Clear,